

15A NCAC 02Q .0309 TERMINATION, MODIFICATION AND REVOCATION OF PERMITS

- (a) The Director may terminate, modify, or revoke and reissue any permit issued pursuant to this Section if:
- (1) the information contained in the application or presented in support thereof is determined to be incorrect;
 - (2) the conditions under which the permit or permit renewal was granted have changed;
 - (3) violations of conditions contained in the permit have occurred;
 - (4) the permit holder fails to pay the fee required pursuant to 15A NCAC 02Q .0200 within 30 days after being billed;
 - (5) the permittee refuses to allow the Director or their authorized representative upon presentation of credentials:
 - (A) to enter the permittee's premises in which a source of emissions is located or in which any records are required to be kept pursuant to the terms and conditions of the permit;
 - (B) to have access to any copy or records required to be kept pursuant to the terms and conditions of the permit;
 - (C) to inspect any source of emissions, control equipment, and any monitoring equipment or method required in the permit; or
 - (D) to sample any emission source at the facility; or
 - (6) the Director finds that termination, modification, or revocation and reissuance of a permit is necessary to carry out the purpose of G.S. 143, Article 21B.
- (b) The permittee shall furnish information that the Director may request in writing to determine whether cause exists for terminating, modifying, or revoking and reissuing the permit or to determine compliance with the permit.
- (c) Operating a facility or source after its permit has been terminated is a violation of this Section and G.S. 143-215.108.
- (d) The permittee may request modifications to his permit.
- (e) The filing of a request by a permittee for a permit termination, modification, revocation and reissuance, notification of planned changes, or anticipated noncompliance shall not stay any permit term or condition.
- (f) If a permit is modified, the proceedings shall affect only those parts of the permit that are being modified.

History Note: Authority G.S. 143-215.3(a)(1),(1a),(1b); 143-215.108; 143-215.114A; 143-215.114B; 143-215.114C;
Filed as a Temporary Rule Eff. March 8, 1994 for a period of 180 days or until the permanent rule is effective, whichever is sooner;
Eff. July 1, 1994;
Amended Eff. July 1, 1999;
Readopted Eff. April 1, 2018.